

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

\_\_\_\_\_  
Type or print name of person signing certification

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Applicant: Robert Dean DALLY, et. al. |  
For: SELECTIVE ESTROGEN RECEPTOR MODULATORS  
Docket No.: X16846M

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As a means of complying with the duty of disclosure, Applicants submit an "Information Disclosure Citation In An Application" on a Form PTO-1449 (modified) and provides a copy of each of the listed documents for consideration by the Examiner.

Since this Statement is being filed in accordance with 37 C.F.R. 1.97(b), Applicants submit that no additional fee is required.

Applicants request consideration of this information.

Respectfully submitted,

/Gilbert T. Voy/  
Gilbert T. Voy  
Attorney for Applicants  
Registration No. 43,972  
Phone: 317-276-2966

Eli Lilly and Company  
Patent Division  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

June 20, 2006

FORM PTO 1449 (modified)	Atty. Docket No. X16846M	Serial No
INFORMATION DISCLOSURE CITATION IN AN APPLICATION	First Applicant Robert Dean DALLY	
	Application Date US Nat'l Entry (if applicable)	Group Art Unit

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. 1	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Pages or Relevant Figures Appear
	AA	US 6 204 286	03-20-2001	Cameron, Kimberly O. et al.	Claims 1-3, 16; examples 8, 9
	AB	US			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. 1	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	<sup>7</sup> 6
	BA	EP 0 729 956	09-04-1996	Eli Lilly and Company	Page 3, line 9 – line 41; claims 1-9, 21	
	BB	EP 0 703 228	03-27-1996	Eli Lilly and Company	Page 3, line 15 – line 35; claims 1-10	
	BC	EP 0 895 989	02-10-1999	Eli Lilly and Company	Page 2, line 19 – line25; claims 1-3, 5-7	
	BD	EP 0 761 659	03-12-1997	Eli Lilly and Company	Claims 1-4, 8, 13, 14	
	BE					

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher, city and/or country where published.	<sup>7</sup> 6
	CA	Grese, Timothy A., et al., "Structure-Activity Relationships of Selective Estrogen Receptor Modulators: modifications to the 2-Arylbenzothophene Core of Raloxifene" <i>Journal of Medicinal Chemistry</i> , 40(2), 146-167, 1997.	
	CB	Kauffman, Raymond F., et al., "Hypocholesterolemic activity of raloxifene (LY139481): pharmacol. Characterization as a selective estrogen receptor modulator" <i>Journal of Pharmacology and Experimental Therapeutics</i> , 280(1), 146-153, 1997.	
	CC		

Examiner Signature	Date Considered
-----------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two letter code (WIPO Standard ST). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached under the document. This form is intended to take 2-3 hours to complete. Time will vary depending upon the needs of the individual case.

Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.